

Assembly Bill No. 1525

Passed the Assembly August 30, 2012

Chief Clerk of the Assembly

Passed the Senate August 29, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 2043 to the Financial Code, relating to elder or dependent adult financial abuse.

LEGISLATIVE COUNSEL'S DIGEST

AB 1525, Allen. Elder or dependent adult financial abuse: money transmission agents: training materials.

Existing law, the Money Transmission Act, provides for the regulation of money transmission businesses in California by the Department of Financial Institutions. Existing law provides that corporations or limited liability companies may become licensed for money transmission, and that a licensee may appoint agents, as specified, to conduct money transmission on behalf of the licensee.

This bill would require specified money transmission licensees to provide, on or before April 1, 2013, and annually thereafter, each of their agents with training materials on recognizing elder or dependent adult financial abuse, and on the appropriate response to suspected elder or dependent adult financial abuse in a transaction.

The people of the State of California do enact as follows:

SECTION 1. Section 2043 is added to the Financial Code, to read:

2043. (a) On or before April 1, 2013, and annually thereafter, each licensee shall provide its agents under contract with training materials on recognizing elder or dependent adult financial abuse, and how to appropriately respond if the agent suspects that he or she is being asked to engage in money transmission for a fraudulent transaction involving an elder or dependent adult.

(b) To ensure that agents that are newly appointed by licensees pursuant to Section 2060 receive the training materials described in subdivision (a) in a timely manner, each licensee shall provide those materials to any newly appointed agent no later than one month following the appointment of that agent.

(c) This section shall not apply to licensees that are engaged solely in selling or issuing stored value pursuant to paragraph (2) of subdivision (o) of Section 2003. Licensees that engage in money transmission activities pursuant to paragraph (1) or (3) of that subdivision, shall be subject to this section only with respect to their agents under contract for activities described in those paragraphs. Additionally, this section shall not apply to licensees who exclusively offer their services via an Internet Web site.

Approved _____, 2012

Governor